

**BOARD OF COUNTY COMMISSION
AGENDA ITEM SUMMARY**

Meeting Date: 9/21/05 - M

Division County Administrator

Bulk Item: Yes No X

Staff Contact Person: Suzanne Hutton

AGENDA ITEM WORDING:

Emergency Approval of an Ordinance authorizing payment of \$100,000 to assist the rebuilding of communities devastated by Hurricane Katrina and approval of a resolution to transfer funds.

ITEM BACKGROUND:

At the September 14, 2005 Budget Meeting of the BOCC, the BOCC voted to send \$100,000 in assistance to aid the victims of Katrina. As a logistical matter, the County Clerk needs specific authorization, establishing the public purpose underlying the expenditure and direction as to the source of funds.

PREVIOUS RELEVANT BOCC ACTION:

See above.

CONTRACT/AGREEMENT CHANGES:

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: \$100,000

BUDGETED: Yes X No

COST TO COUNTY: \$100,000

SOURCE OF FUNDS: 001-85500-590995

REVENUE PRODUCING: Yes No X **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty X OMB/Purchasing Risk Management

DIVISION DIRECTOR APPROVAL:

JOHN R. COLLINS, COUNTY ATTORNEY

DOCUMENTATION: Included X Not Required

DISPOSITION:

AGENDA ITEM #

AN EMERGENCY ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, AUTHORIZING PAYMENT TO APPROPRIATE RELIEF AGENCY FOR AID TO AREAS DEVASTATED BY HURRICANE KATRINA; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; AND PROVIDING AN EFFECTIVE DATE

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. LEGISLATIVE FINDINGS. It is hereby ascertained, determined and declared that:

(A) Monroe County, Pursuant to Article VIII, section 1 of the Florida Constitution, and sections 125.01 and 125.66, Florida Statutes, the Board of County Commissioners (the "Board") of Monroe County, Florida (the "County") has all powers of local self-government to perform county and municipal functions and to render services in a manner not inconsistent with general law and such power may be exercised by the enactment of county ordinances and resolutions.

(B) The County is in an area particularly susceptible to the ravages of storm events, particularly hurricanes.

(C) The County has previously benefited from efforts of other governmental entities and utility companies from all areas of Florida and from many other states in the aftermath of hurricanes which left significant areas of the Florida Keys with damaged infrastructure.

(D) Numerous not-for-profit organizations, including but not limited to the Red Cross, Habitat for Humanity, and the Salvation Army, have provided services to residents of the County during and in the aftermath of hurricanes which have struck the Florida Keys.

(E) Leaders of the federal government have made it clear since August 29, 2005, that it will be necessary for many agencies to provide unprecedented assistance to areas devastated beyond the experience within the recorded annals of history on US soil of any American communities, in terms both of the extent of destruction and the area encompassed in the destructive path of Hurricane Katrina.

(F) News stations have made much of the New York City firefighters who returned to New Orleans a fire truck and fire-fighting reinforcements to

reciprocate New Orleans firefighters' generosity of a post- 9/11 donation of a fire truck.

(G) The provision by the County of funding to assist the victims of Hurricane Katrina is both a showing of solidarity with the devastated communities of the Gulf Coast and a down payment on the aid which the County will inevitably need from many sources at some unknown time in the future, as substantial damage from a hurricane is just a matter of time and the elements.

(H) Provision of assistance to the victims of Katrina may be insubstantial in the scope of assistance which will be needed to rebuild the communities affected but will be an important offer of goodwill and understanding.

(I) The purpose of this Ordinance is to authorize the payment, from a fund set aside for unforeseen events, of assistance to an appropriate relief agency specifically to assist victims of Katrina to rebuild their communities.

(J) The urgency of the need for assistance was not sufficient to prepare an ordinance so that the Board could approve placing the advertisement required to enact the ordinance under the regular enactment procedure set forth in section 125.66, Florida Statutes.

Section 2. DECLARATION OF EMERGENCY.

(A) Based upon the legislative findings set forth in Section 1 here, a four-fifths vote of the Board hereby waives the notice requirements of section 125.66(2), Florida Statutes, finding that an emergency exists requiring the immediate adoption of this ordinance.

(B) Subsequent to the adoption of this emergency ordinance, the Board shall advertise, adopt, and ratify this emergency ordinance pursuant to section 125.66, Florida Statutes.

Section 3. ACTION

Pursuant to the provisions of section 125.01(1)(w), Florida Statutes, the Board of County Commissioners of Monroe County hereby authorize payment of the sum of one hundred thousand dollars (\$100,000), from the Board's contingency funds, to an appropriate affiliate of Habitat for Humanity, Inc. to be used to provide housing programs to assist the victims of Hurricane Katrina.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 6. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 21st day of September, 2005.

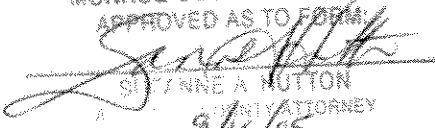
Mayor Dixie M. Spehar	_____
Mayor Pro Tem Charles "Sonny" McCoy	_____
Commissioner Murray Nelson	_____
Commissioner George Neugent	_____
Commissioner David Rice	_____

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:

STEPHANNE A. NUTTON
COUNTY ATTORNEY
9/16/05

Resolution No. _____ - 2005

A RESOLUTION CONCERNING THE TRANSFER OF FUNDS

WHEREAS, it is necessary for the Board of County Commissioners of Monroe County, Florida, to make budgeted transfers in the Monroe County Budget for the Fiscal Year 2005, therefore,

BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, that there shall be transfers of amounts previously set up in the Monroe County Budget for the Fiscal Year 2005 as, hereinafter set forth to and from the following accounts:

Fund #001- General Fund

From: 001-5130-85500-590990	Other Uses
Cost Center # 85500	
For the Amount: \$100,000.00	
To: 001-5200-5250-1000-0459103-530490	Miscellaneous
Cost Center # 0459103 – Victim Assistance Hurricane Katrina	

BE IT FURTHER RESOLVED BY SAID BOARD, that the Clerk of said Board, upon receipt of the above, is hereby authorized and directed to make the necessary changes of said items, as set forth above.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 21st day of September AD 2005.

Mayor Spehar	_____
Mayor Pro Tem McCoy	_____
Commissioner Neugent	_____
Commissioner Rice	_____
Commissioner Nelson	_____

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

By: _____
Mayor/Chairman

(Seal)

Attest: DANNY L. KOLHAGE, Clerk
